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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,022	02/15/2001	Stephen C. Hahn	SUN1726/P5721NP	3012
22434	7590	02/03/2004	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 778 BERKELEY, CA 94704-0778			SHAH, NILESH R	
			ART UNIT	PAPER NUMBER
			2127	

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/785,022	HAHN, STEPHEN C.
Examiner	Art Unit	
Nilesh R Shah	2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 February 2001.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 May 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____                                     |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Pereira (5,809,230).

As per claim 1 Pereira teaches the use of a method of dynamically checking a resource control associated with newly added software to an operating system, the method comprising:

encountering the newly added software and the associated resource control by an entity in the operating system (col. 7 lines 19-49) ('After the access control program is installed, the program requests the user to register as the Primary User and to identify a password. This password is used to identify the Primary User at subsequent logins. After installation of the program and registration of the Primary User, only the Primary User may thereafter install software on the PC, upgrade the access control program or uninstall the access program.'');

Art Unit: 2127

determining whether a resource associated with the resource control is active (col. 7 lines 19-49) ('Part of the installation procedure is to insert commands into a system initialization file, such as the AUTOEXEC.BAT file, before the command which activates an operating system or Windows interface program.');

determining whether usage of the resource by the entity exceeds a limiting value stored in the resource control, wherein one or more actions are triggered if the limiting value is exceeded (col. 10 lines 10-47) ('The access control program may also include a function for limiting a user's access to a computer resource to a particular time period.');

granting the resource to the entity if the limiting value has not been exceeded (col. 7 lines 49-67) ('In response to the closing of the manage users function, the access control program generates a file of authorized user identifiers and, as each user supplies a password, the file is updated with each user's corresponding password. This file is used by the access control program to limit access to the system to authorized users only');

resetting the limiting value of the resource control to another threshold value (col. 10 line 34- col. 11 line 30) ('In response to a detected change, the program component resets the system so that all three program components are reloaded from the hard disk to memory to overwrite the changed program component.')

wherein the entity has an arbitrary number of limiting values associated with the resource control (col. 10 lines 10-47) ('The access control program may also include a function for limiting a user's access to a computer resource to a particular time period.')

As per claim 2, Pereira teaches a method further comprising the entity searching a first set of resource controls to locate the resource control (col. 10 line 34 – col. 11 line 10) ('One program component is loaded resident in memory to, preferably, allocate memory space for a user and monitor memory access. This program allocates memory for a user and verifies that the attempted memory access is for a memory location in a memory space authorized for the user.')

As per claim 3, Pereira teaches a method further comprising the entity searching a second set of resource controls associated with a plurality of entities to locate the resource control (col. 10 line 34 – col. 11 line 10) ('The second program component loaded into memory preferably monitors operating system and/or Windows calls to verify whether the requested resource is authorized for access by the user.')

As per claim 4, Pereira teaches a method further comprising determining whether a resource associated with the resource control is active (col. 7 lines 19-49) ('Part of the installation procedure is to insert commands into a system initialization file, such as the AUTOEXEC.BAT file, before the command which activates an operating system or Windows interface program.');

As per claim 5, Pereira teaches a method further comprising loading the resource control from a global set of controls to a local set of controls associated with the entity.

As per claim 6, Pereira teaches a method further comprising notifying a plurality of other entities when there is a violation of a limiting value by the entity (col. 10 lines 10-47) ('The access control program may also include a function for limiting a user's access to a computer resource to a particular time period.').

As per claim 7, Pereira teaches a method wherein an entity is one of a process, task, and a project in the operating system (col. 7 lines 19-49) ('After the access control program is installed, the program requests the user to register as the Primary User and to identify a password. This password is used to identify the Primary User at subsequent logins. After installation of the program and registration of the Primary User, only the Primary User may thereafter install software on the PC, upgrade the access control program or uninstall the access program.'

As per claim 8, Pereira teaches a method wherein encountering the newly added software and the associated resource control by an entity in the operating system further includes registering the resource controls associated with the newly added software with the operating system (col. 7 lines 19-49) ('After the access control program is installed, the program requests the user to register as the Primary User and to identify a password. This password is used to identify the Primary User at subsequent logins. After installation of the program and registration of the

Primary User, only the Primary User may thereafter install software on the PC, upgrade the access control program or uninstall the access program.’)

As per claim 9, Pereira teaches a method I further comprising manually changing the limiting value as desired (col. 8 line 52- col. 9 line 43) (‘While access to the other directories in the restricted list are completely restricted, the status of these directories may be changed by the Primary User.’)

Claims 10-12 are rejected based on the same rejections of claim 1.

As per claim 13, Pereira teaches a method for dynamically adding a resource to an operating system wherein the resource has a variable number of limits comprising:

executing a process request for a resource that has a plurality of control values and searching in a local set of resources corresponding to the entity (col. 12 lines 13-59) (If the hard disk protection program is not installed, system initialization continues with the loading of the operating system and the program components of the access control program, however, the protection provided by the hard disk protection program is not available. Control is then transferred to the operating system. Thereafter, the access control program intercepts interrupt service calls and verifies whether the user is authorized to access the requested resource.’),

Art Unit: 2127

determining whether a usage value is greater than a control value from the local set (col. 10 lines 10-47) ('The access control program may also include a function for limiting a user's access to a computer resource to a particular time period.');

and determining whether a user has a privilege status for the resource (col. 10 lines 10-47) ('The access control program may also include a function for limiting a user's access to a computer resource to a particular time period.').

As per claim 14, Pereira teaches a method further comprising:

where the usage value is greater than a control value from the local set, approving the grant of the resource control and where the usage value is less than the control value, making a further determination as to whether the action is contained within a global set (col. 10 lines 10-47) ('The access control program may also include a function for limiting a user's access to a computer resource to a particular time period.').

As per claim 15, Pereira teaches a method further comprising:

denying the resource to the requesting party where the action is not global, and setting the resource control to the next lowest action where the action is determined to be contained within a global set ('This program controls access to system resources during the remainder of system initialization and loads the operating system and program components for the access control program. Control is transferred to the operating system and the program components of the access control program limit user access to the resources identified in restricted lists as set forth

above. If a user attempts to boot the system with a boot program stored on media or a diskette drive, the boot program tries to use the hard disk interrupt to look at the master boot record. In this case, the program is unable to gain sufficient information to search the hard disk and load the operating system. If the hard disk protection program is not installed, system initialization continues with the loading of the operating system and the program components of the access control program, however, the protection provided by the hard disk protection program is not available. Control is then transferred to the operating system. Thereafter, the access control program intercepts interrupt service calls and verifies whether the user is authorized to access the requested resource.’).

As per claim 16, Pereira teaches a method further comprising loading the attributes from a global set to the local set where the control resource is not found in the local set (col. 12 lines 13-59) (If the hard disk protection program is not installed, system initialization continues with the loading of the operating system and the program components of the access control program, however, the protection provided by the hard disk protection program is not available. Control is then transferred to the operating system. Thereafter, the access control program intercepts interrupt service calls and verifies whether the user is authorized to access the requested resource.’)

As per claim 17, Pereira teaches a method further comprising determining, after the resource is found in the local set or loaded into the local set, whether the identification number of the control resource is still active (col. 7 lines 19-49, col. 8 lines 1-30) (‘Part of the installation procedure is to insert commands into a system initialization file, such as the AUTOEXEC.BAT file, before

the command which activates an operating system or Windows interface program.’) (‘ As shown in FIG. 3, the folder includes a window for the user’s name (70) and a private directory (window 72) for the user, if one has been identified by the Primary User. The folder preferably includes five tabs which identify the authorized resources for a user.’)

As per claim 18 Pereira teaches a method further comprising registering the resource when first introducing it to the operating system. (col. 7 lines 19-67) (‘After the access control program is installed, the program requests the user to register as the Primary User and to identify a password. This password is used to identify the Primary User at subsequent logins. After installation of the program and registration of the Primary User, only the Primary User may thereafter install software on the PC, upgrade the access control program or uninstall the access program.’)

As per claim 19, Pereira teaches a method wherein registration comprises: loading and initializing the module containing the resource control, storing certain control values for the module, executing custom functions for the model, obtaining an identification number for the control resource, and placing the new resource control in the global set (col. 12 lines 13-59) (‘Control is transferred to the operating system and the program components of the access control program limit user access to the resources identified in restricted lists as set forth above.’)

Art Unit: 2127

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh R Shah whose telephone number is 703-305-8105. The examiner can normally be reached on Monday-Friday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

NS

January 20, 2004

*Meng An*  
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